



## State of Utah

### Department of Natural Resources

MICHAEL R. STYLER  
*Executive Director*

### Division of Oil, Gas & Mining

JOHN R. BAZA  
*Division Director*

JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

July 13, 2005

CERTIFIED RETURN RECEIPT  
7002 0510 0003 8603 4384

Lance Heaton  
Pelican Point Rock Products  
P.O. Box 386  
Lehi, Utah 84043

Subject: Transfer of Notice of Intention, Large Mining Operations, Pelican Pont  
Rock Products, Inc., Pelican Point Mine, M/049/011, Utah County, Utah

Dear Mr. Heaton:

On April 29, 2005, we received the completed Transfer of Notice of Intention of Small Mining Operations to transfer the Pelican Point Mine located in Utah County, Utah from Pelican Point Rock Products, Inc. to Cable Mountain, LLC.


The Division Director signed and executed the transfer document on July 8, 2005 *which effectively transfers the responsibility of this mining operation and reclamation to Cable Mountain, LLC.* A copy of the executed transfer form is enclosed for your files. Pelican Point Rock Products is released from all mining and reclamation obligations for this project. Please be aware that the School and Institutional Trust Lands Administration must also release Pelican Point, in writing, from this project as well.

Cable Mountain, LLC has replaced the reclamation surety for this site; therefore, the Division releases the \$91,000 surety bond #LPM8124411 issued by Fidelity and Deposit Company of Maryland. The original surety bond with accompanying riders and the original Reclamation Contract are enclosed for your disposal or return to the surety company.

Lance Heaton  
Page 2 of 2  
M/049/011  
July 14, 2005

Thank you for your help in finalizing this transaction. If you have any questions or concerns regarding this letter, please contact me at (801) 538-5258.

Sincerely,



Susan M. White  
Mining Program Coordinator  
Minerals Regulatory Program

SMW:jb  
Enclosure: Executed Transfer form, original RC & surety bond  
cc: Steve Heaton, Cable Mountain, LLC  
John Blake, SITLA (ML-46040)  
O:\M049-Utah\m0490011-pelicanpoint\final\transfer-approve.doc

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FORM MR-TRL  
(Revised September 2000)

For Division Use:  
File No.: M/049/011  
Effective Date: July 8, 2005  
DOGM Lead: LMK

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
Telephone: (801) 538-5291  
Fax: (801) 359-3940

RECEIVED

APR 29 2005

TRANSFER OF NOTICE OF INTENTION  
LARGE MINING OPERATIONS

DIV OF OIL GAS & MINING

--ooOoo--

1. (a) Notice of Intention to be transferred (file number): M/049/011  
(b) Name of mining operation: PELICAN POINT ROCK PRODUCTS, INC.  
(c) Location of mining operation (county): UTAH  
(d) Name, telephone number and mailing address of the operator currently holding the notice of intention (transferor):  
PELICAN POINT ROCK PRODUCTS  
PO BOX 386 801-972-8353  
LEHI, UTAH 84043
2. (a) Name, telephone number and mailing address of the operator acquiring the notice of intention (transferee):  
CABLE MOUNTAIN LLC.  
PO BOX 704 801-768-4820  
LEHI, UTAH 84043  
(b) Name, telephone number and address of the authorized representatives of the Transferee to whom any notices under the provisions of the Utah Mined Land Reclamation Act may be sent:  
STEVE HEATON 435-673-0411  
PO BOX 369  
ST. GEORGE, UTAH 84771
3. (a) The total number of disturbed acres permitted and bonded under the approved Large Mining Notice of Intention: 33.1 Acres

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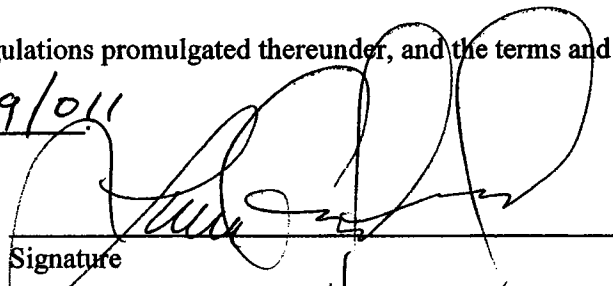
- (b) Complete Appendix "A"(attached), a legal description of the approved and bonded disturbed acreage (include: Township(s), Range(s), and section(s), to the 1/4, 1/4, 1/4 section, and the county).
- (c) The actual number of acres disturbed by the mining operation through the date of this transfer: 33.1 Acres
- (d) Attach a topographic map (labeled as Appendix "B") of suitable scale which clearly outlines the existing disturbed area boundaries through the date of this transfer (max. scale, 1 inch = 500 ft., 1 inch = 200 ft., or larger scale is preferred). Label disturbed areas as appropriate. **REFER TO DISTURBED AREA MAP ATTACHED TO THE RECLAMATION CONTRACT TITLED PELICAN POINT QUARRY DATED JAN. 26, 1998.**
4. This application must be accompanied by a fully executed and signed Reclamation Contract (Form MR-RC) and an acceptable form of replacement reclamation surety.

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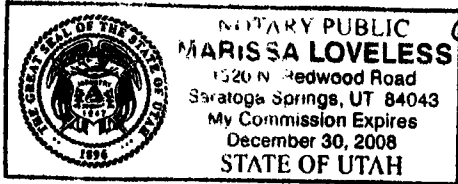
STATE OF UTAH )  
COUNTY OF UTAH ) ss.


SWORN STATEMENT OF TRANSFEROR

I, LANCE HEATON being first duly sworn under oath, depose and say that I am PRESIDENT (officer or agent) of PELICAN POINT ROCK PRODUCTS (Corporation/Company Name); and that I am duly authorized to execute and deliver the foregoing obligations; that I have read the said application and fully understand the contents thereof; that all statements contained in the transfer application are true and correct to the best of my knowledge and belief. By execution of this statement I certify that the Transferor is in full compliance with the Utah Mined Land Reclamation Act, the Rules and Regulations promulgated thereunder, and the terms and conditions of Notice of Intention No. M/049/011

  
Signature  
LANCE HEATON  
Name (type or print)  
PRESIDENT  
Title

Subscribed and sworn before me this 29 day of APRIL, 2005.



  
Notary Public  
Residing at: SARATOGA SPRINGS, UT

My commission Expires:  
DEC. 30, 2008.

STATE OF UTAH )  
COUNTY OF UTAH ) ss.

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FINAL SWORN STATEMENT OF TRANSFEREE

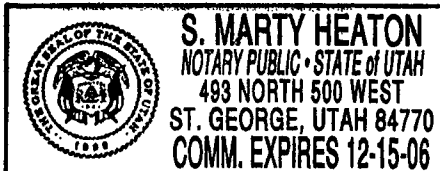
I, STEVE M. HEATON being first duly sworn under oath, depose and say that I am MEMBER MANAGER (officer or agent) of CABLE MOUNTAIN LLC (Corporation/Company Name); and that I am duly authorized to execute and deliver the foregoing obligations; that I have read the application and fully understand the contents thereof; that all statements contained in the transfer application are true and correct to the best of my knowledge and belief. By execution of this statement, the Transferee agrees to be bound by the terms and conditions of Notice of Intention No. M/049/011, the Utah Mined Land Reclamation Act, and the Rules and Regulations promulgated thereunder.

[Signature]  
Signature

Steve M. Heaton  
Name (type or print)

Member Manager  
Title

Subscribed and sworn before me this 29 day of APRIL, 20 05.



[Signature]  
Notary Public  
Residing at: St George UT

My commission Expires:

Dec 15, 2006.

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## CERTIFICATION OF APPROVAL

This is to certify that I have examined the foregoing application and do hereby grant approval of same, subject to the following limitations and conditions:

- (a) This large mining permit transfer grants only the right to affect the lands as described in Appendix "A" (attached).
- (b) The transferee has provided to the Division a fully executed and signed Reclamation Contract (Form MR-RC) and an acceptable form of replacement reclamation surety. The surety shall be effective on or before the date of transfer.
- (c) The transferee, or such other person as required by UCA 1953, Title 40-8, has acquired the legal right to mine said lands as described in Appendix "A".
- (4) A topographic map of suitable scale is attached (as Appendix "B") which clearly outlines and labels the existing disturbed area boundaries through the date of this transfer.

### COMMENTS:

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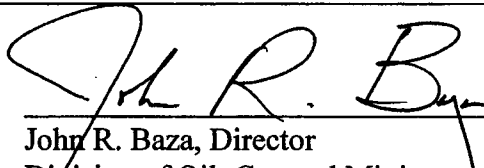
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### APPROVED:

  
John R. Baza, Director  
Division of Oil, Gas and Mining

Effective Date:

NOI No.:

July 8, 2005

m/049/0110

APPENDIX "A"

copy  
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[Signature]  
New Operator  
M/049/011  
Permit Number

ROCKWELL formerly PELICAN POINT  
Mine Name  
UTAH County, Utah

The legal description of the lands to be disturbed is (Township, Range and section(s) to the 1/4, 1/4, 1/4 section):

W 1/2	SW 1/4	NE 1/4	NE 1/4
S 1/2	NE 1/4	NW 1/4	NE 1/4
	SE 1/4	NW 1/4	NE 1/4
E 1/2	NE 1/4	SW 1/4	NE 1/4
	NW 1/4	SE 1/4	NE 1/4
	SW 1/4	SE 1/4	NE 1/4
W 1/2	SE 1/4	SE 1/4	NE 1/4
W 1/2	NE 1/4	NE 1/4	SE 1/4
E 1/2	NW 1/4	NE 1/4	SE 1/4
NE 1/4	SW 1/4	NE 1/4	SE 1/4
NW 1/4	SE 1/4	NE 1/4	SE 1/4

SECTION 31, TOWNSHIP 6 SOUTH,  
RANGE 1 EAST, UTAH COUNTY,  
UTAH